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Dated: August 11, 2004

Signature:

(Anthony G. Sitko)

Docket No.: 29888/38379A  
(PATENT)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Michael S. John et al.

Application No.: 10/634,704

Filed: August 5, 2003

Art Unit: 3726

For: **SYSTEM AND METHOD FOR OBJECTIVE  
EVALUATION OF HEARING USING  
AUDITORY STEADY-STATE RESPONSE**

Examiner: Not Yet Assigned

### **INFORMATION DISCLOSURE STATEMENT (IDS)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is filed before the mailing date of a first Office Action on the merits as far as is known to the undersigned (37 CFR 1.97(b)(3)).

Copies of the references on the PTO/SB/08 are not provided.

Those patent(s) or publication(s) which are marked with a double asterisk (\*\*) next to the Cite No. in the attached form PTO/SB/08 (facsimile) are not supplied because they were previously cited by or submitted to the Office in a prior application number 09/859,637, filed May 18, 2001 and relied upon in this application for an earlier filing date under 35 U.S.C. 120.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 13-2855, under Order No. 29888/38379A. A duplicate copy of this paper is enclosed.

Dated: August 11, 2004

Respectfully submitted,

By

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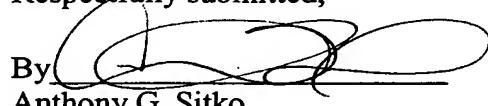
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PTO/SB/08a/b (08-03)

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Substitute for form 1449A/B/PTO				<b>Complete if Known</b>	
				Application Number	10/634,704
				Filing Date	August 5, 2003
				First Named Inventor	Michael S. John
				Art Unit	3726
				Examiner Name	Not Yet Assigned
Sheet	1	of	2	Attorney Docket Number	29888/38379A

<b>U.S. PATENT DOCUMENTS</b>					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number Number-Kind Code <sup>2</sup> ( <i>if known</i> )	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		**US-4,275,744	06-30-1981	Thornton et al.	
		**US-4,321,427	03-23-1982	Singh	
		**US-4,462,411	07-31-1984	Rickards	
		**US-4,556,069	12-03-1985	Dalton, Jr. et al.	
		**US-4,561,449	12-31-1985	Hu et al.	
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		**US-4,913,160	04-03-1990	John	
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		**US-5,023,783	06-11-1991	Cohen et al.	
		**US-5,105,822	04-21-1992	Stevens et al.	
		**US-5,230,344	07-27-1993	Ozdamar et al.	
		**US-5,267,571	12-07-1993	Zurek et al.	
		**US-5,282,475	02-01-1994	Urbach et al.	
		**US-5,601,091	02-11-1997	Dolphin	
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		**US-5,699,809	12-23-1997	Combs et al.	
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		**US-5,954,667	09-21-1999	Finkenzeller et al.	
		**US-5,999,856	12-07-1999	Kennedy	
		**US-6,071,246	06-06-2000	Sturzebecher et al.	
		**US-6,110,126	08-29-2000	Zoth et al.	

<b>FOREIGN PATENT DOCUMENTS</b>					
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> ( <i>if known</i> )	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		**WO-99/53839	10-28-1999	The University of Melbourne	T <sup>6</sup>
		**WO-97/04704	02-13-1997	Sonamed Corporation	

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

<b>NON PATENT LITERATURE DOCUMENTS</b>					
Examiner Initials	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.			T <sup>2</sup>
		**JOHN ET AL., "MASTER: a Windows program for recording multiple auditory steady-state responses," Computer Methods and Programs in Biomedicine, Vol. 61, 2000, pp. 125-150.			
		**JOHN ET AL., "Human auditory steady-state responses to amplitude-modulated tones: phase and latency measurements," Hearing Research, Vol. 141, 2000, pp. 57-79.			
		**PICTON ET AL., "Objective Evaluation of Aided Thresholds Using Auditory Steady-State Responses," Journal of American Audiology, Vol. 9, No. 5, October 1998, pp. 315-331.			
		**JERROLD H. ZAR, "Circular Distributions: Hypothesis Testing," Biostatistical Analysis, 3d.			
Examiner Signature	Date Considered				

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	1996, pp. 533-535, 601-605, 615-620.
	**JOHN ET AL., "Multiple Auditory Steady-state Responses (MASTER): Stimulus and Recording Parameters," <i>Audiology</i> , Vol. 37, 1998, pp 59-82.
	**CAMPBELL ET AL., "Estimation of Auditory Thresholds Using Evoked Potentials: A Clinical Screening Test," <i>Prog. Clin. Neurophysiol.</i> , Vol. 2, 1977, pp. 68-78.
	**GALAMBOS ET AL., "A 40-Hz auditory potential recorded from the human scalp," <i>Proc. Natl. Acad. Sci. USA</i> , Vol. 78, No. 4, April 1981, pp. 2643-2647.
	**GALAMBOS ET AL., "Clinical Applications of the Auditory Brain Stem Response," <i>Otolaryngologic Clinics of North America</i> , Vol. 11, No. 3, October 1978, pp. 709-722.
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	**STÜRZEBECHER ET AL., "Efficient Stimuli for Recording of the Amplitude Modulation Following Response," <i>Audiology</i> , Vol. 40, No. 2, 2001, pp. 63-68.
	**COHEN ET AL., "A comparison of steady-state evoked potentials to modulated tones in awake and sleeping humans," <i>Journal of Acoustical Society of America</i> , Vol. 90, No. 5, November 1991, pp. 2467-2479.
	**DIMITRIJEVIC ET AL., "Human Auditory Steady-State Responses to Tones Independently Modulated in Both Frequency and Amplitude," <i>Ear &amp; Hearing</i> , April 2001, pp. 100-111.
	**JOHN ET AL., "Weighted averaging of steady-state responses," <i>Clinical Neurophysiology</i> , 2001, pp. 555-562.
	**JOHN ET AL., "Multiple Auditory Steady-state Responses to AM and FM Stimuli," <i>Audiol Neurotol</i> , 2001, pp. 12-27.

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